

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JAMOD-KHALIL ROHN,)	
)	
Plaintiff,)	Civil Action No. 05-1584
)	
v.)	Judge Hardiman
)	Magistrate Judge Caiazza
DR. JEFFREY A. BEARD, et al.,)	
)	
Defendants.)	

MEMORANDUM ORDER

This prisoner civil rights suit was commenced on November 16, 2005, with the filing of petition to proceed *in forma pauperis*, and was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, filed on February 5, 2007, recommended that the Defendants' Motion for Summary Judgment be granted, and that the Plaintiff's Motion for Summary Judgment be denied. A copy of the Report and Recommendation was sent to the Plaintiff by First Class United States Mail to SCI Fayette. The parties were allowed ten days from the date of service to file objections. Objections were due on February 22, 2007. No objections have been filed.

After de novo review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 2nd day of March, 2007,

IT IS HEREBY ORDERED that the Defendants' Motion for Summary Judgment (Doc. 26) is GRANTED, and that the Plaintiff's Motion for Summary Judgment (Doc. 22) is DENIED.

The Report and Recommendation of Magistrate Judge Caiazza, (Doc. 37), dated February 5, 2007, is adopted as the opinion of the court.

Thomas M. Hardiman

Thomas M. Hardiman
U.S. District Court Judge

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